G. R. S. 58]
Previous references.

File No. 257-09

1909.

Serial Nos. 1-13.

Cents)

Later references.

Cents 80-1881-5

to 268-26 (1-6).

» 59-32-1-2.

» 195-32-1-2.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-13

Part B for D.C.C.10.

SUBJECT.

Surrender of Muniswami convict no. 3508 of the Bangalore Central jail to the Taluk magistrate of Hindupur.

Index of Contents:

1. From the Supt. Ananthapur, thro' H.M. Resident no R.M.C 471/09 24-
Requests the Supt. Bangalore Central jail to cause the production of convict Muniswami before the Taluk magte. of Hindupur.
2. From the I.G. of Prisons no 6886 dy 14-6-1910.
States that the convict is confined for non-extradition offences & requests the instructions of Govt. [illegible]
3. To the I.G. of Prisons no J 3754 dy 28-6-10.
Invites his attention to para 6 of Govt. [illegible]
no 2013-23/Leg 4-04-5 dy 6-1-1908 & requests that if all the prisoner is discharging unfor-

GPB—5,000—22-10-10

[illegible] communicated to the Taluk
magte of Hindupur

4. From the same officer no 9515 dt 13.8.10.
States that the Supdt of Bangalore Central
Jail has informed the taluk magte of the above
facts & has asked him to move the Resident
in case the immediate surrender of the
prisoner is necessary.

5. To the I A Resident in Mysore no 2098 dt 3.9.1910
Intimates the action taken & states that
if under the circumstances explained, the Resident
sees no objection to the surrender of the pris
after his trial, he will be handed over to the Taluk
magte.

6. From the I A Resident no 5270 dt 1.9.1910,
Requests to be informed what action
has been taken on the Anantapur Dy. magte's requisn

7. From the same officer no 5407 dt 9.9.10.
States that the Resident agrees with the
view of the Bureau that offences u/s 88 Secs 453-4
of I.P.C. the regn of which as extradition offences &
requests that necessary orders be issued for the
surrender of the prisoner to the taluk magte.

8. To the D.G. of Prisons No. J 821 dt 14-9.10
Communicates the facts in 8th & requests
that arrangements may be made for the surrender
of the prisoner.

9. From the same officer no 1234 dt 26.9.10.
States that the convict was handed over
to the City police for being produced in Hindupur
& towards an application for his extradition.

10. To the I A Resident no J. 3088 dt 28.9.10. Requests the
issue of a warrant

11. From the same officer No 5928 dt 30-9-10.
Intimates the issue of a warrant.

12. To the D.G. of Prisons no. J 1192 dt 1.10.10
Communicates the above.

13. To the D.G. of Police & DC. magte, no 1691-704 dt 5-11
Communicates 8th 3rd & for information

G.R.S. 11] 1909-10

GENERAL AND REVENUE SECRETARIAT.

(Courts.)

NOTES.

Cts. File No. 257-09.

FILE HEADING.

Surrender of Muniswami Convict № 3508 of the Central Jail, Bangalore to the Taluk Magistrate of Hindupur.

From

The District Magistrate of Anantapur (Thro, the Residency) No. 325 | 29-30-5-1910.

No. Rmc 471 Dated 24.5.1910. Received 26.5.1910.

Diary No. 2980 | Enclos. ~~1a~~ one Spare Copies | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests the Supdt, Central Jail, Bangalore to cause the production, before the Taluk magistrate of Hindupur, of Convict Muniswami of the Central Jail, accused under Sections 457 and ~~380~~ 380 I.P. Code, before the said magistrate

NOTES AND ORDERS.

Subd with an Endorsement forwarding the above in original to the I.G. of Prisons in Mysore. The date of hearing, viz 16.5.1910, mentioned in the warrant is long last. Subd for order. Issue. I suppose we have no information here as to the nature of the offence and for which the accused is undergoing sentence now.

31/5/10

Hcs 31/5

NOTES—First sheet 31.5.10

GPB—30,000—3-4-07

9366

Serial No.

non-extradition offence, and also the probable date of his release from the jail. If on the receipt of this information, the Court considers that immediate trial of the accused in British India is necessary in the interests of justice, it should through the District magistrate move the Residency in the matter. The Resident will then take such action as may be necessary in consultation with the Durbar (Please see para (3) of Residency letter No 2071 & 5.3.1907 on page 9 of Legislation Printed Collection, also para 6 of the G.O. referred to above). In case the Supdt Central jail has intimated the fact to the Taluk Magistrate, Hindupur, the initiative for further proceedings if any, will be taken by that magistrate. If approved, the ~~draft~~ information on the above point will be called for from the D.G. of Prisons.

Subd for orders.

Gs
23.6.10.

Yes - Early

24/6/10

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

C/5 File No. 957 of 1909

Serial No.

has ~~been~~ not been ~~expressly~~ specifically included in the Schedules to the Extradition Act, it must be deemed to be an Extradition offence inasmuch as Sections 443 and 446, which have been included are only the definitions of lurking house-trespass and house breaking respectively and the other sections of the Penal Code specify the punishment awarded for the above offences. A Reference to the Residency may therefore be made asking them whether in the light of the above remarks the prisoner could be recommended after the trial in British India is over and if they agree we may order the surrender of the prisoner in question. A draft is accordingly put up for approval & other orders.

SN
15/8/10

Secy / Secret
with drawn
SN

26/8/10

Secy
Draft submitted 2nd Oct

I have added a sentence
The draft may be
approved.

27/8/10

C/5
27/8/10

27/8/10

in Colour hand pencil

NOTE—Contn. sheet.

GPB—55,000—27.4.09

G. R. S. 12]
General and Revenue Secretariat.

Ch File No. 257 of 1909-10

6

Serial No.

10 The draft may now issue

SH

30/8/10

11 Sec'y

Issue

SB

31/8/10

SA

31/8/10

5 To the First Assistant to the Resident in Mysore, N° 219 & 3.9.1910.

Intimates the action taken, and states that if under the circumstances explained, the Resident sees no objection to comply with the Durbar requisition for the surrender of the prisoner after his trial in British India, orders will be issued for handing him over to the Taluk magistrate of Kundapur, otherwise the Convict will be surrendered on the expiry of his term of imprisonment in Mysore.

6 From the F. A. Resident N° 5270 & 1.9.1910.

Requests to be informed what

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Serial No.

action has been taken on the requisition of the District Magistrate of Anantapur.

12 Subd. Serial N°(5) above addressed to the Residency explains the facts of the case. The above Communication from that office, does not seem to call for a further reply. The papers will be kept in "Cts" for some time Subd for orders.

~~Secs SN~~
~~8-9-10~~ 8/9/10 13 Yr Sd
10/9/10.

7 From the F. A. Resident's N° 5407 & 9.9.1910.

States that the Resident agrees with the View of the Durbar that offences under Sections 453 to 460 I.P. Code must be regarded as extradition offences and requests that necessary orders may be issued for the Surrender of the prisoner to the Taluk Magistrate of Hindupur

S. F. O.

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Serial No.	
14	Submitted with a draft to the D.G. of Prisons.
15	If approved, Serials 5 and 7 above, may be printed and Communicated to all the District Magistrates and the D.G. of Police ~~and Prisons~~ and the D.G. of Prisons. Subd for orders. Yes (A) 13/9/10 SW 10-9-10
16	(1) Issue draft thereon (2) File to be Subd for orders on (A). 13/9/10 SW 13/9
8	To the Inspector General of Prisons in Mysore, No 8821 - 14-9-10. Communicates the above facts, (in Serial 7), and requests that arrangements may be made for the surrender of the Convict at an early date.
9	From the Same Officer, No 9234 - 826 9-10 13-08. States that the said Convict was handed over to the City Police, Bangalore on the 22nd in view to his escort and production before the Court in [illegible]

NOTE—Contn. sheet.

G. R. S. 12]
General and Revenue Secretariat.

G. File No. 257 of 1909-10

9

Serial No.	
	Magistrate of Hindupur and forwards an application for the extradition of the Convict Cook to the Jail at Bangalore.
7	Subd with a draft to the Resident Hcs SN 28-9-10
	Issue SN 28/9/10.
10	To the First Assistant to the Resident N° 308 & 28-9-1910. Requests the issue of a warrant.
11	From the same officer, N° 5928 & 30-9-10 Intimates the issue of a warrant
6	Subd with a draft to the ~~Contd to Jail, Bangalore~~ Ig. of Prisons. Hcs 1-10-10 SN 3-10-10
	Issue SN 3/10/10.
12	To the Ig. of Prisons in Mysore N° J 1192 & 7-10-10. Communicates the above. J. J. D

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

Ch File No. 257 of 1909-10.

Serial No.

Sub'd.

Kind attention is invited to paras 15 and 16(2) of the notes above, regarding the proposal to print and circulate Serials 5 and 7 in the file.

Submitted with a draft for approval.

HCJ
122/24.11.10.

SW.11
25/11

30/11/10

14/12/10

To the Dy. of Police & Dist Magts
No J 696-729 5-12-10.

Communicates ~~Copies of Serials~~ Serials 5+7 for information

NOTE—Contn. sheet.

GPB—50,000—12-8-10

URGENT

91-2

No. 686 / 13-08 Encs 2. Office of the Inspr. Genl. of Prisons in Mysore,

Dated Bangalore, 14th June 1910.

From

Lt.-Colonel J.Smyth M.D., I.M.S.,

Inspector-General of Prisons in Mysore.

To

C.S.Balasundaram Iyer Esqr., B.A.,

Offg. Secretary to the Govt. of H.H.

the Maharaja of Mysore, Genl. & Rev. Deptts.

Sir,

In returning herewith the enclosed Criminal process and letter received with your Memo No.J.3648/Cts.257-09 dated the 1st instant, I have the honor to request that you will be so good as to obtain, under para 2 of Government Order No.J.2013-23/ Legis.141-04-15 dated the 6th January 1908, the special orders or instructions of Government in the matter as the prisoner Munisamy No.3508 of the Bangalore Central Jail, referred to in the process is at present confined in a prison in Mysore for two non-extradition offences, viz., Sections 457 and 75 Indian Penal Code and is charged with the commission in British India of two offences (viz. 457 and 380 I.P.C.) of which one is an extradition offence and the other a non-extradition one.

2. The date of release of prisoner Muniswamy from Bangalore Central Jail falls on or about 2nd November 1911.

I have the honor to be,

Sir,

Your most obedient servant,

For Inspector-General of Prisons.

T.C.G.

J 3092

JRR 14.6.10 CR 190

From

The Inspr Genl of Prisons in Mysore.

To

The Secy. to Govt
Genl & Rev Dept

Dated 14th June 10.

Despatched

Received

General No. 686
No. 13-08

Enclosure No. Two

Requests to obtain special orders or instructions of Govt for the surrender of prisoner Munisamy No 3508 of the Bangalore Central Jail.

G.R.S. 26]

cls File No. 257
Serial No. 3

Diary No. of letter replied to

No J 3754.

General and Revenue Secretariat
(cls)
, *the* 190

To The Inspr. General of Prisons in Mysore, Bangalore.

Date of issue 28th June 1910

Signed by Hon'ble Srinivasamurthy

Sir,

With reference to your letter No. 686/J.12-08 dated the 14th June 1910. on the matter of the surrender to the Salem Magistrate of Kuppan of Cuddapah Munisami, No. 3508 of the Bangalore Central Jail, I am directed to invite your attention to para 6 of G.O. No. J 1013-23/Leg 14-04-5 dated the 4th June 1908. and to enquire if the fact of the Convict undergoing imprisonment in the Central Jail for a Cognizable offence as requiring Magistrate's sanction

Convicted in Mysore State, and the date of his release

over.

SUBJECT.

thereupon has been communicated to the Salem Magistrate concerned with a view to his making the Obligation through the District Magistrate of Trichinopoly for the surrender of the Convict if his immediate surrender is required; If not, this may now be done and the Salem Magistrate of the Trichinopoly may be requested to take the necessary action in the light of the above instructions.

I have the

honour to be

Sir

Your most obedient

servant

List of enclosures

Copied by

Examined by

GPB—10,000—20-4-06.

97.4

No. 951
13-08.

Office of the Inspr. Genl. of Prisons in Mysore,
Dated Bangalore, 13th August 1910.

From

P.S.Achyuta Rao Esqr.,
Offg. Inspector-General of Prisons in Mysore.

To

C.S.Balasundaram Iyer Esqr., B.A.,
Offg. Secretary to the Government of H.H.
the Maharaja of Mysore, Genl. & Rev. Deptts.

Sir,

In reply to your letter No.J.3754/Cts.257-09 dated the 25/28th June 1910, I have the honor to intimate that the Superintendent of the Bangalore Central Jail, has, in his docket No.531/F.5 dated the 1st July 1910, informed ~~that~~ the Taluk Magistrate of Hindupur that convict Muniswamy therein referred to is imprisoned ~~in~~ his Jail for a non-extradition offence, that the date of his release falls in the 2nd week of August 1911 and that in case his immediate surrender is required, a reference may be made through the Residency.

I have the honor to be,
Sir,
Your most obedient servant,

For Offg. Inspr. Genl. of Prisons.

T.C.G.

C 8257-08
S. No 4

III 14/8 W.H.C. 1908 J 485

From The Insp.r Gen.l of Prisons in Mysore.

To The Secy. to Govt. Gen.l & Rev. Dep.tt.

Dated 13th August 1910.

Despatched

Received

General No. 951

No. 13-08.

Enclosure No.

Intimates that the Supt. B.C. Jail has informed the Taluk Magte. of Nanjanagud that convict Srinivasamy is imprisoned in his Jail for a non-extradition offence &c.

5

Anantapur District-
Magistrate's Office
Dated 6th August 1910

R.M.C. No. 671.

× Received here on the 12th Aug.

G.O. 25/08
9/25/28 give
10.

From

R. Morris, Esquire,
District-Magistrate of
Anantapur.

To.

The Superintendent, Central Jail,
Bangalore.

Sir,

With reference to your letter No. 636 dated 5th Instant, I have the honor to state that the necessary requisition was made to you through the Hon'ble the Resident in Mysore in my letter R.M.C. No. 671 dated the 26th May 1910 and this does not seem to have been received by you. The G.O. referred to in your letter also enjoins that you should obtain instructions from your Government on requisitions made from British Authorities. As the necessary requisition has been already made through

This is not in my file but the same has been sent to you upon which the G.O. is based.

through the proper Channel, I request that you will be so good as to obtain instructions from your Government and to intimate to me when the prisoner will be produced before the Taluq Magistrate of Hindupur.

I have &c

(Signed) Unintelligible.

For District-Magistrate.

"Copy"

Jailor's Office

Superintendent

Central Jail

Bangalore

15-8-1910

7

G.R.S. 26]

Cb File No. 257/09

Serial No. 15

1-9-10

Diary No. of letter replied to

Pol. No. 219

Ser 1.

General and Revenue Secretariat

( )

, *the* 190

To

The First Assistant to the

Hon'ble the Resident in Mysore,

Date of issue 3-9-1910.

Sir,

Signed by

I refer

Mr C S Balasundaramiyer

I am directed to ~~write~~ ~~the direction of the Hon'ble the Resident in Mysore~~ to your ~~Office~~ endorsement No. 3251 dated the 30th May 1910 forwarding for necessary action a letter ~~dated~~ ~~the~~ No: 471 dated the 24th idem from the District Magistrate of Anantapur with a requisition to the Officer in charge of the Central Jail, Bangalore for the surrender of a prisoner named Munisamy (No: 3508) confined in that jail to the Taluk Magistrate of

over

SUBJECT.

this dispute before whom the prisoner ~~was~~ harbour charged with the offence of housebreaking by night and theft under sections 457 and 380 I.P. Code. In this Connection Jail ~~asks~~ to state that as the prisoner referred to ~~has been~~ is undergoing imprisonment in this State for offences punishable under sections 457 and 75 I.P. Code, ~~which are non-extradition offences~~, and the Superintendent of the Jail (wrote considering that they are non-extradition offences not being included in the schedule to the Extradition act ~~back~~ to ~~that officer~~ the District Magistrate of Bantaspur that the prisoner could not be legally surrendered to the British authorities under the orders contained in Govt Notification No. J219/Leg 14-04-14 Hdq 2d dated the 20th July 1907, that the prisoner would be released in the 2nd week of August 1911 and that in case his immediate Surrender was required, a further reference might be made through the

List of enclosures,

Copied by

Examined by

GPB—10,000—23-5-08

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

Hon'ble the Resident in Mysore.

2. In this connection the Durbar observe that Section 457 of the I.P. Code has not been ~~specifically~~ expressly referred to ~~in the~~ first ~~Schedule~~ under the head "Extradition offences" in the first Schedule to the Indian Extradition Act XV of 1903, Sections 443 and 446 of the Code which define the offences of "lurking house-trespass" and "house breaking by night" have been ~~included~~ specified as extradition offences ~~under the above Category~~ and that ~~therefore the other Sections of the Penal Code, which prescribe various punishments for the various offences~~ the offences ~~specified~~ in the above offences ~~should be deemed to fall within the scope of the said Act.~~ If the above view is correct and if the Hon'ble the Resident sees no objection to comply with the Durbar's requisition for the re-surrender of the Convict after his trial in British India is over, the Durbar will be prepared to issue the necessary orders for ~~the~~ his

they include

must be held to

the appealed

for which special punishments are provided in sections (454, 453) 453, 456, 457, 458, 459 & 460 I.P.C

I am to say that

his surrender to the Taluk Magis-
trate of Kudupon for trial

3. I am to request therefore that the views of the Hon'ble the Resident in the matter may be kindly Communicated to the Durbar at an early date.

Otherwise, in accordance with rule 5 ((rule 4)) of the Durbar's

(y) Rid. J. 2013-23 Legis 161-02-15 dy 6 August 1905. (Copy enclosed) the surrender of the prisoner will be made on the expiry of his term of imprt.

I have etc

C&B 27/8/10

Offg Secy

SW 16/8/10

Encls one.

SW

ad 1/8/10

Exec Secy

Extract

J638

Letter M.C. No.471, dated the 27th August 1910, from the District Magistrate of Anantapur, to the Hon'ble the Resident in Mysore, Bangalore.

87-6

On the 24th May 1910, I had addressed the Officer in Charge of the Central Jail, Bangalore, through you, to cause the production of the prisoner, Muniswami Convict No.3508 of that Jail, before the Taluk Magistrate, Hindupur, as a case of house breaking by night with intent to commit theft has been pending against the said prisoner. The necessary warrant was also enclosed.

2. The Taluk Magistrate of Hindupur having reported that the prisoner was not produced till 21st July 1910, I made a reference to the Superintendent of Central Jail, Bangalore, on 26th July 1910, asking him whether the prisoner would be produced, who, in his letter No.636/F.5, dated the 5th instant, replied that the prisoner could not be produced without the special order from the Mysore Government and suggested that if --- immediate surrender of the prisoner was required, a reference might be made through you. From this, I infer that my letter of May last to that officer, through you, has not as yet reached him with necessary orders. I have the honour therefore to request that you will be good enough to inform me of the action -- taken on the requisition above referred to.

Pol:362 No. 5270.
Dt 16-9-10

Mysore Resident's Office,
Bangalore, dated the 20th September 1910.

A copy of the foregoing letter is forwarded to the Dewan of Mysore, in continuation of this office endorsement No

R. P. B.—7-1910.—1,000.

3251

No.3251, dated the 30th May 1910, with the request that the Resident may be informed what action has been taken on the requisition of the District Magistrate, Anantapur, for the production of the prisoner, Muniswami, before the Taluk Magistrate of Hindupur.

W. G. Lee Major,
First Assistant Resident.

K.M.
1.9.10.

Urgent

No. 5404.

FROM

MAJOR W. G. GREY, I. A.,

FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Dewan of Mysore.

Dated Bangalore, 9th September 1910.

SIR,

With reference to Mr. Balasundaram Iyer's letter No.219-Pol., dated the 3rd September 1910, regarding the production of Munisawmy, a prisoner in the Bangalore Central Jail, before the Taluk Magistrate of Hindupur to answer a charge of housebreaking by night and theft in a ---- building punishable under Sections 457 and 380, Indian --- Penal Code, I am directed to say that the Resident agrees with the view of the Durbar that offences under Sections 453 to 460, Indian Penal Code, must be regarded as "Extradition offences" falling within the scope of the first --- schedule to the Indian Extradition Act, 1903 (XV of 1903).

2. I am therefore to request that the Durbar will be so good as to issue the necessary orders for the surrender of the prisoner to the Taluk Magistrate of Hindupur for trial.

I have the honour to be,
Sir,
Your most obedient servant,

W. G. Grey Major,
First Assistant Resident.

R. P. B.—8-1910.—200.

No.

No. 5408.

Copy of the foregoing letter, together with a copy of that to which it is a reply is forwarded to the District Magistrate of Anantapur for information.

(Sd.) W. G. Grey, Major,
First Assistant Resident.

K.M.
9.9.10.

15

G.R.S. 26] 14/9/10 dr

C. File No. 257/09
Serial No. 8

Diary No. of letter replied to 691

No. J 821 Encls 2

General and Revenue Secretariat
(es)
, *the* 190

To The Inspector General of Prisons in Mysore

Date of issue 14-9-10

Signed by [illegible]

Sir,

Adverting to the correspondence ending with your letter No 951 dated the 13th August 1910, regarding the surrender of Munisamy, a Convict (No 3508) confined in the Bangalore Central jail, to the Taluk Magistrate of Sirsi for trial, I am directed to state that the Resident in Mysore agrees with the views of

over.

SUBJECT.

9/9/10
14/9 [illegible]

in their views
the Durbar that offences
under Sections 453 to
460, I.P. Code must be
regarded as Extradition
offences falling within
the scope of the first
Schedule to the Indian
Extradition Act XV of
1903, ~~as Sections 443~~
~~and 446 of the said~~
~~Code which define~~
~~the offences of "lurking~~
~~house trespass" and~~
~~"housebreaking by~~
~~night" have been~~
~~specified as such~~
~~in the said Schedule.~~ I
am therefore to request
that arrangements
may kindly be made in accordance with instructions laid down in G.O. No. J. 2013-23. Legis 141-04-15 dt 6th Jan 08
for the surrender
at an early date
of the said Convict
to the Taluk Magistrate
of Hindupur for trial

List of enclosures,

Copied by

Examined by

GPB—10,000—28-5-08

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

Letter Rm.C № 471 &
24.5.1910, addressed to
the Officer in Charge of
the Central Jail by the
District magistrate of
Anantapur together with
the requisition ~~to~~ of
the Taluk magistrate
of Bandarpur is herewith
sent.

I have &c.

for Secy,

12/5/10

D/C
HC3
10-9-10

MGCPB—30,000—5-4 05.

No. 1234 Office of the Inspr Genl. of Prisons in Mysore,
13-08 Encs. 2. Dated Bangalore, 26th September 1910.

From

P.S.Achyuta Rao Esqr., 81-9

Offg. Inspector-General of Prisons in Mysore.

To

C.S.Balasundaram Iyer Esqr., B.A.,

Offg. Secretary to the Government of H.H.

the Maharaja of Mysore, Genl. & Rev. Deptts.

Sir,

I have the honor to intimate that in pursuance of your letter No.J.821/Cts.257-09-8 dated the 14th instant, convict No. 3508 Munisami, confined in the Bangalore Central Jail, is stated to have been handed over to the City Police, Bangalore at 6 A.M., on the 22nd instant in view to his escort and production before the Taluk Magistrate of Hindupur.

2. The District Magistrate of Anantapur and the Taluk Magistrate of Hindupur have been duly informed of the handing over of the convict in question for surrender to the British authorities.

3. In pursuance of para 4 of Government Order No.J.2013-23/Legis 141-04-15 dated the 6th January 1908, an application for the issue of a warrant for the resurrender of the convict to undergo the unexpired portion of his sentence in the Bangalore Central Jail together with his nominal Roll is herewith sent for necessary action.

I have the honor to be,

Sir,

Your most obedient servant,

For Offg. Inspr. Genl. of Prisons

T.C.G

T.T. 27/9

19[illegible] J. 0.18

From
The Insp[r] Gen[l] of Prisons
in Mysore.

To
The Secy[t] to Govt
Genl & Rev Dept[s].

Dated 26th September/10.

Despatched

Received

General No. 1234
No. 13-08

Enclosure No. 2.

Intimates that convict No. 3508 Arimissamy confined in the B.C. Jail is stated to have been handed over to the City Police on the 22nd Inst, in view to his escort and production before the Taluk Magte of Hindupur.

GPB—70 reams—27-12-09

Application for a Warrant under Act XV of 1903 to the Indian Extradition Act.

	Officer to whom the warrant should be issued	To. The District Magistrate of Anantapur.
2	~~Magistrate of the District~~ or Officer who wants the warrant issued	The Superintendent Central Jail. Bangalore.
3	Name and description of accused person.	No. 3506 Munisawmy. Dark Brown, Well built. A depressed glazed scar on the forehead. Four raised glazed small cicatrices on the chest. Age about 35 years. Height 5 feet 4 5 inches.
4	Where and under whose custody the accused person is supposed to be	In the custody of the Taluk Magistrate of Hindupur.
5	Name of the offence committed and Section of the Indian Penal	Sections 457 and 75 Indian Penal Code.

	Code under which the accused person is convicted	
6	Officer to whom the accused person should be surrendered	To. The Superintendent Central Jail Bangalore.
7	Place at which the accused should be detained.	Central Jail Bangalore
8	Whether the accused person is a British Subject Subject of Mysore or to which State he belongs.	British Subject ~~Resident~~ of Bungaroor of ~~Chattar~~ Work District.
9	Remarks.	To undergo the unexpired portion of his sentence.

Office of the Superintendent
Central Jail, Bangalore.

2nd September 1910

Superintendent
Central Jail
Bangalore

Statement showing the description of th

who was handed over to the City Police on th

Serial No	Jail Register No	Name of Prisoner	Calendar Case no and the name of the Sentencing Court	Dat Sent
	3508	Munisawmy	Cri: Case No 26 of 1909-1910 Senior Asst Commr and 1st class Magte Bangalore Sub Dn	3-11

Office of the Superintendent,
Central Jail, Bangalore.

B. C. Jail
22-9-1910.

Sentence etc passed on the undermentioned prisoner

22nd September 1910 for being escorted to Hindupur

of nce	Term of Sentence	Amount of Sentence undergone upto end of 21st Sep: 1910.	Unexpired portion of the Sentence to undergo by the prisoner	Date of release of the prisoner according to the term of Warrant.
		Y. M. D		
09	Two years Rigorous imprisonment	0-10-19	1-1-12	2-11-1911

Superintendent
Central Jail
Bangalore.

G.R.S. 26]

Cts. File No. 257-09.

Serial No. 10.

Diary No. of letter replied to 9888

Bdl. No. 308

Encl.

General and Revenue Secretariat

( )

, the 19 .

To

The First Assistant

to the Resident,

Date of issue 28-9-1910

Signed by

for Secretary to Government.

Sir,

Adverting to the correspondence ending with your letter No 5407 dated the 9th September 1910, regarding the production of Ellunisawmy a Convict in the Bungalow Central Jail, before the Taluk Magistrate of Kindupras., to answer a Charge of housebreaking by night and theft in a building, I am directed to state that it is reported that the Convict referred to above

over.

SUBJECT.

was handed over to the Bangalore City Police on the 22nd instant for being escorted to Hindupur for production before the Taluk Magistrate at that place, and that that officer as well as the District Magistrate of Hindupur have been informed about the arrangements made for the surrender of the said Convict I am now to request that an extradition warrant may kindly be issued early to the District Magistrate of Anantapur for the surrender of the prisoner in question to the Supdt, Central Jail, Bangalore at Bangalore, for undergoing the unexpired portion of his sentence in this case after the termination of his trial at Hindupur.

(2) An application in the usual form is herewith sent

I have the &c.

Under Sec.

List of enclosures,

one SW

Copied by MRT 28/9. 1 Att.

Examined by SW

GPB—20,000—12-8-10

SW 24/9/10

No. 5928 J 935 Pol: 549

D 1-10-10

From

Major W. G. GREY, I. A.,
First Assistant to the Resident in Mysore.

To

The Dewan of Mysore.

Sa. 11

Dated Bangalore, 30th September 1910.

Sir,

I am directed to acknowledge the receipt of Mr. Balasundaram Iyer's letter No.308-Pol., dated the 28th September 1910, asking for issue of an extradition warrant for the surrender of Munisawmy who has been convicted of an extradition offence in Mysore territory.

2. In reply, I am to inform you that a warrant has this day been issued to the District Magistrate of Anantapur for the surrender of the convict in question to the Superintendent of the Central Jail, Bangalore, at Bangalore, on the conclusion of his trial in British India.

I have the honour to be,

Sir,

Your most obedient servant,

W. G. Grey Major,
First Assistant Resident.

K.M.
30.9.10.

R. P. B.—9-1910.—100.

9/35

Cts 257—10
S.N. 12
1910.11

From

The Secretary to the Govt. of
H. H. the Maharaja of Mysore,
General & Revenue Departments.

To

The ~~District Magistrate of~~
Dy. of Prisons

Dated

Despatched 9-10-10.

Received

General No. 1192
No.

Enclosure No.

With reference to ~~his~~ the Correspondence ending
his letter No. 1234-1308 dated 26-9- 190 ,
submitting an application for the issue of an
extradition warrant for the surrender of
Munisawmy, a Convict
of the Bangalore Central
~~accused of~~ Jail.
~~under Section~~ ~~I. P. C.~~, intimates
that the Resident has on the 30th Sept.
190 , issued a warrant to the
District Magistrate
of Anantapur.
for the surrender of the ~~accused person~~ said Convict to
the Supdt, Central Jail at
Bangalore, on the Conclusion
of his trial in British
India

~~2. The Original enclosures received~~
with the ~~District Magistrate's~~ letter under
~~reply are herewith returned.~~

"By Order,"

For Secretary.

Ct
Secy
7-10-10

Ct
4/10 3-10-10

6

G.R.S. 26]

Cs. File No. 257-09

Serial No. 13

691 & 1/12/10 Diary No. of letter replied to

No.

General and Revenue Secretariat

(Cs)

, the 19 .

Date of issue 5. Jan

Signed by Sd Shrinivasaiya

~~To~~ [Here enter letter No Pol 219 dated the 3rd Sept. 1910 to the J.A. to the Honble the Resident in Mysore; (2) Letter No 5407 & 9th idem from that Office.]

Order No:- J1696-704/Cs 257-09-13

Copies of the foregoing papers are forwarded to the Dy. of Police and Dist magistrates for information.

Sd

for Secy.

To

The Dy. of Police

& District magistrates

over.

SW. 4 15/12/10

SUBJECT.

DfC Secs 12/12/10

Dr 2/12

Proceedings of the Government of His Highness the Maharaja of Mysore, Judicial and Legislative (Courts), dated 5th December 1910.

READ—

(1) Letter No. Political 219, dated 3rd September 1910, from the Secretary to Government, General and Revenue Departments, to the First Assistant to the Hon'ble the Resident in Mysore.

I am directed to refer to your endorsement No. 3251, dated the 30th May 1910, forwarding for necessary action letter No. 471, dated the 24th idem, from the District Magistrate of Anantapur with a requisition to the officer in charge of the Central Jail, Bangalore, for the surrender of a prisoner named Munisami (No. 3508) confined in that jail to the Taluk Magistrate of Hindupur, before whom the prisoner has been charged with the offence of house-breaking by night and theft under Sections 457 and 380, Indian Penal Code. In this connection, I am to state that as the prisoner referred to is undergoing imprisonment in this State for offences punishable under Sections 457 and 75, Indian Penal Code, the Superintendent of the Jail considering that they are non-extradition offences not being included in the schedule to the Extradition Act, wrote to the District Magistrate of Anantapur that the prisoner could not be legally surrendered to the British Authorities under the orders contained in Government Notification No. J. 219—Legis. 14-04-14, dated the 20th July 1907, that the prisoner would be released in the second week of August 1911 and that in case his immediate surrender was required, a further reference might be made through the Hon'ble the Resident in Mysore.

2. In this connection, the Durbar observed that though Section 457 of the Indian Penal Code has not been expressly referred to under the head "Extradition Offences" in the first schedule to the Indian Extradition Act, XV of 1903, Sections 443 and 446 of the Code, which define the offences of "Lurking house-trespass" and "House-breaking by night" have been specified as extradition offences and that they must be held to include the aggravated forms of both the above offences for which special punishments are provided in Sections 453, 454, 455, 456, 457, 458, 459 and 460, Indian Penal Code. If the above view is correct and if the Hon'ble the Resident sees no objection to comply with the Durbar's requisition for the resurrender of the convict after his trial in British India is over, I am to say that the Durbar will be prepared to issue the necessary orders for his surrender to the Taluk Magistrate of Hindupur for trial. Otherwise in accordance with Rule 6 of the Durbar's Order No. J. 2013-23—Legis. 141-04-15, dated 6th January 1908, the surrender of the prisoner will be made on the expiry of his term of imprisonment.

3. I am to request, therefore, that the views of the Hon'ble the Resident in the matter may be kindly communicated to the Durbar at an early date.

(2) Letter No. 5407, dated the 9th September 1910, from the First Assistant to the Hon'ble the Resident in Mysore, to the Dewan of Mysore, with reference to Mr. Balasundaram Iyer's letter No. 219—Pol., dated the 3rd September 1910, regarding the production of Munisami, a prisoner in the Bangalore Central Jail, before the Taluk Magistrate of Hindupur to answer a charge of house-breaking by night and theft in a building punishable under Sections 457 and 380, Indian Penal Code, I am directed to say that the Resident agrees with the view of the Durbar that offences under Sections 453 to 460, Indian Penal Code, must be regarded as "Extradition Offences" falling within the scope of the first schedule to the Indian Extradition Act, 1903 (XV of 1903).

2. I am, therefore, to request that the Durbar will be so good as to issue the necessary orders for the surrender of the prisoner to the Taluk Magistrate of Hindupur for trial.

No. J. 1696-704—Cts. 257-09-13, dated Bangalore, 5th December 1910.

Order thereon.—Copies of the foregoing papers are forwarded to the Inspector-General of Police and District Magistrates for information.

C. S. BALASUNDARAM IYER,
Offg. Secy. to Govt., Gen. & Rev. Depts.

To—The Inspector-General of Police in Mysore.
The District Magistrates of Districts.

Exd.—C. V.

1910-11

GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

JUDICIAL AND LEGISLATIVE
(COURTS)

PROCEEDINGS

Dated 5th December 1910

No. J. 1696-704
Cts. 257-09-13

Passing orders that offences under Sections 453 to 460, Indian Penal Code, must be regarded as "Extradition Offences" falling within the scope of the first schedule to the Indian Extradition Act, 1903 (XV of 1903).

GPB—15-12-10—400